

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

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MATHEW J. HART, on behalf of plaintiff and :
the class defined herein, :
 : 6:13-cv-6076-CJS-JWF
Plaintiff, :
 :
vs. :
 :
FCI LENDER SERVICES, INC. :
 :
Defendant. :
-----X

STIPULATION OF DISMISSAL

Pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure, Plaintiff Mathew J. Hart and Defendant FCI Lender Services, Inc., hereby stipulate to dismissal of Plaintiff's individual claims in this action with prejudice and dismissal of the putative class claims without prejudice, with each party to bear their own costs and fees.

DATED: November 29, 2016.

Respectfully submitted,

s/Tiffany N. Hardy
Tiffany N. Hardy

s/ Laura L. Richardson
Laura L. Richardson

One of the attorneys for plaintiff

*One of the attorneys for defendant
FCI Lender Services, Inc.*

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CERTIFICATE OF SERVICE

I, Tiffany N. Hardy, hereby certify that on November 29, 2016, a true and accurate copy of the foregoing document was filed via the Court's CM/ECF system, which sent notification of such filing to the following parties:

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